

# Senate File 375 - Introduced

SENATE FILE 375  
BY KRAAYENBRINK

## A BILL FOR

1 An Act relating to the revocation of certain privileges upon  
2 conviction of a littering offense, and making penalties  
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 318.6, Code 2021, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 3. In addition to any other punishment  
4 provided by this section, a person found guilty of violating  
5 section 318.3, subsection 6, is subject to punishment provided  
6 in section 461A.43, subsection 2.

7 Sec. 2. Section 321.369, Code 2021, is amended to read as  
8 follows:

9 **321.369 Putting debris on highway.**

10 1. A person shall not throw or deposit upon a highway any  
11 glass bottle, glass, nails, tacks, wire, cans, trash, garbage,  
12 rubbish, litter, offal, or any other debris. A person shall  
13 not throw or deposit upon a highway a substance likely to  
14 injure any person, animal, or vehicle upon the highway. A  
15 person who violates [this section](#) or [section 321.370](#) commits a  
16 misdemeanor punishable as a scheduled violation under section  
17 805.8A, subsection 14, paragraph "d".

18 2. In addition to any other punishment provided by this  
19 section, a person found guilty of violating this section or  
20 section 321.370 is subject to punishment provided in section  
21 461A.43, subsection 2.

22 Sec. 3. Section 455B.364, Code 2021, is amended to read as  
23 follows:

24 **455B.364 Penalty.**

25 Any person violating the provisions of [section 455B.363](#),  
26 upon conviction, shall be guilty of a simple misdemeanor. The  
27 court, in lieu of or in addition to any other sentence imposed,  
28 may direct and supervise a labor of litter gathering. In  
29 addition to any other punishment provided by this section, a  
30 person found guilty of violating section 455B.363 is subject to  
31 punishment provided in section 461A.43, subsection 2.

32 Sec. 4. Section 461A.43, Code 2021, is amended to read as  
33 follows:

34 **461A.43 Littering grounds.**

35 1. No person shall place any waste, refuse, litter, or

1 foreign substance in any area or receptacle except those  
2 provided for that purpose.

3 2. In addition to any other punishment provided by law, if  
4 a person is found guilty of violating this section, section  
5 318.3, subsection 6, section 321.369, 321.370, or 455B.363, the  
6 natural resource commission shall immediately take all of the  
7 following actions:

8 a. Suspend any hunting, fishing, or trapping license, tag,  
9 permit, or stamp issued to the person under Title XI, subtitle  
10 6, for a period of one year from the date of conviction. The  
11 commission shall only issue a new license, tag, permit, or  
12 stamp to the person if the license, tag, permit, or stamp is  
13 not valid until after one year from the date of conviction.

14 b. Prohibit the person from camping or using rental  
15 facilities or other special privileges at state parks and  
16 recreation areas under the jurisdiction of the department for  
17 a period of one year from the date of conviction. A person  
18 who violates a prohibition under this paragraph is subject to  
19 punishment under section 461A.57.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with  
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the revocation of certain privileges  
24 upon conviction of a littering offense.

25 Current law prohibits littering on highway rights-of-way,  
26 highways, waters and lands of the state, and areas under  
27 control of the natural resource commission. Punishment for  
28 a littering violation is specific to where the littering  
29 occurred. In addition to any punishment imposed by law, the  
30 bill provides that the commission shall immediately suspend  
31 any hunting, fishing, or trapping license, tag, permit, or  
32 stamp issued to a person convicted of a littering offense for a  
33 period of one year from the date of the conviction. The bill  
34 also requires the commission to prohibit the person convicted  
35 of a littering offense from camping or using rental facilities

1 or other special privileges at state parks and recreation areas  
2 under the jurisdiction of the department of natural resources  
3 for a period of one year from the date of conviction. A person  
4 who is prohibited from camping or using rental facilities or  
5 other special privileges pursuant to the bill who violates  
6 the prohibition is guilty of a simple misdemeanor under  
7 Code section 461A.57. A simple misdemeanor is punishable by  
8 confinement for no more than 30 days and a fine of at least \$105  
9 but not more than \$855.